

REMARKS

Reconsideration is respectfully requested. Claims 1-7 and 12-28 were present in the application. Claims 1, 17, 18 and 21-28 are amended herein. Claims 3, 4, 19 and 20 are canceled. .

Claims 1, 2, 5, 7, 12, 18, 21, 23 and 24 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Porambo et al in view of Lai (US 5,101,509).

Claims 3, 4, 19 and 20 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Porambo et al in view of Churchill et al (US 3,950,750).

Claims 6 and 22 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Porambo et al in view of Lai (US 5,101,509) and further in view of Fukuda et al (US 3,864,363).

Claims 13 and 25 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Porambo et al in view of Lai and further in view of Uda (US 5,940,744).

Claims 14 and 26 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Porambo et al in view of Lai and further in view of Schetelig et al (US 6,895,229).

Claims 15 and 27 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Porambo et al in view of Lai and further in view of Schetelig et al (US 6,895,229) and further in view of Isomichi et al (US 2002/0081,999).

Claims 16 and 28 are rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Porambo et al in view of Lai and further in view of Schetelig et al (US 6,895,229) and further in view of Korycan (US 5,950,139).

Claim 17 is rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Porambo et al in view of Fukuda et al (US 3,864,363).

Applicant respectfully traverses the rejections.

Claim 1 is amended herein to incorporate claim 3 therein, while claim 17 is amended to incorporate claim 19 therein. Claims 18 and 21-28 are amended to correct a typographical error, wherein the claims were indicated to depend on claim 1 and its dependent claims, whereas the claims were to depend on claim 17 and its dependent claims where appropriate.

Regarding the rejection of claim 1 and its various dependent claims on the combination of Porambo and Lai (with other combinations for some of the dependent claims), claim 1 relates to, among other things, generating a test signal with a divider, and it is respectfully noted that, in Lai, a crystal 33 is connected to a DSP 27, and output of the DSP 27 is inputted into a switch 21. This configuration of Lai is significantly different from the configuration of the amended claim 1 of the present application.

Applicant wishes to especially note that, where the Examiner says in the office action (Response to Argument, page

11) regarding Lai, that "For FM signal band is generated, the harmonics of a 10 MHz crystal oscillator being utilized, . . .". Just as the Examiner explained, the output of the 10 MHz crystal oscillator is not divided in the Lai patent. Therefore the Lai patent does not relate directly to the invention of the present claim 1 of this application that has a limitation of having divider. Accordingly, the combination of Pombo and Lai does not disclose or suggest claim 1, or its dependent claims.

Regarding claim 17, which is rejected over the combination of Pombo with Fukuda, applicant respectfully traverses. Claim 17 relates to, among other things, generating a test signal using a multiplier. In the Fukuda patent, a REF. OSC. 23 is not connected to other components except HARMONICS GE. 6. Therefore this configuration needs to include exclusive REF. OSC. 23. This means that, by the Fukuda patent, it is impossible to achieve the generation of the test signal with a simple configuration such as a configuration of the claim 17 of the present application. As such, the combination does not result in claim 17.

The various other documents cited in combination with Pombo and Lai or Pombo and Fukuda, do not make up for the lack of teaching or suggestion.

In light of the above noted amendments and remarks, this application is believed in condition for allowance and notice thereof is respectfully solicited. The Examiner is asked to

contact applicant's attorney at 503-224-0115 if there are any questions.

It is believed that no further fees are due with this filing or that the required fees are being submitted herewith. However, if additional fees are required to keep the application pending, please charge deposit account 503036. If fee refund is owed, please refund to deposit account 503036.

Respectfully submitted,

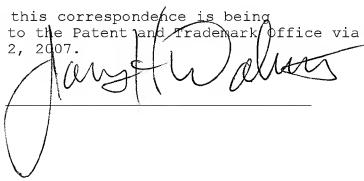


James H. Walters, Reg. No. 35,731

Customer number 802  
patenttm.us  
P.O. Box 82788  
Portland, Oregon 97282-0788 US  
(503) 224-0115  
DOCKET: A-494

Certification of Electronic Transmission

I hereby certify that this correspondence is being electronically transmitted to the Patent and Trademark Office via the EFS system on this October 2, 2007.



James H. Walters